

POCAHONTAS TIMES.

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MARLINTON, WEST VIRGINIA, FRIDAY, JUNE 28, 1895.

\$1.00 IN ADVANCE.

Official Directory of Pocahontas.

Judge of Circuit Court, A. N. Campbell.
 Prosecuting Attorney, L. M. McClintic.
 Sheriff, J. C. Arbogast.
 Deputy Sheriff, R. K. Burns.
 Clerk County Court, S. L. Brown.
 Clerk Circuit Court, J. H. Patterson.
 Assessor, C. O. Arbogast.
 Commissioners Co. Court, C. E. Beard,
 G. M. Kee, A. Barlow.
 County Surveyor, George Baxter.
 Coroner, George P. Moore.
 County Board of Health, Dr. J. W. Price, L. M. McClintic, M. J. McNeel,
 J. O. Arbogast.
 Justices: A. C. L. Gatewood, Split
 Rock; Charles Cook, Huntersville;
 H. Gross, Huntersville; Wm. L. Brown,
 Dumore; G. R. Curry, Academy;
 Thomas Bruffay, Lobsell.

THE COURTS.

Circuit Court convenes on the first Tuesday in April, third Tuesday in June, and third Tuesday in October.
 County Court convenes on the first Tuesday in January, March, October, and second Tuesday in July. July is *levy term*.

LAW CARDS.

N. C. McNEIL,
 ATTORNEY AT LAW,
 MARLINTON, W. VA.
 Will practice in the Courts of Pocahontas and adjoining counties and in the Court of Appeals of the State of West Virginia.

L. M. McCLINTIC,
 ATTORNEY AT LAW,
 MARLINTON, W. VA.
 Will practice in the Courts of Pocahontas and adjoining counties and in the Supreme Court of Appeals.

H. S. RUCKER,
 ATTY. AT LAW & NOTARY PUBLIC
 HUNTERSVILLE, W. VA.
 Will practice in the courts of Pocahontas county and in the Supreme Court of Appeals.

J. W. ARBUCKLE,
 ATTORNEY AT LAW,
 LEWISBURG, W. VA.
 Will practice in the courts of Greenbrier and Pocahontas counties. Prompt attention given to claims for collection in Pocahontas county.

W. A. BRATTON,
 ATTORNEY AT LAW,
 MARLINTON, W. VA.
 Prompt and careful attention given to all legal business.

ANDREW PRICE,
 ATTORNEY AT LAW,
 MARLINTON, W. VA.
 Will be found at Times Office.

SAM. B. SCOTT, JR.,
 LAWYER,
 MARLINTON, W. VA.
 All legal business will receive prompt attention.

PHYSICIAN'S CARDS.

DR. O. J. CAMPBELL,
 DENTIST,
 MONTEREY, VA.
 Will visit Pocahontas County at least twice a year. The exact date of his visit will appear in this paper.

DR. J. H. WEYMOUTH,
 RESIDENT DENTIST,
 BEVERLY, W. VA.
 Will visit Pocahontas County every spring and fall. The exact date of each visit will appear in The Times.

J. M. CUNNINGHAM, M. D.,
 PHYSICIAN & SURGEON,
 MARLINTON, W. VA.
 Office next door to H. A. Yeager's Hotel. Residence opposite Hotel. All calls promptly answered.

M. F. GIESEY,
 Architect and Superintendent,
 Room 19, Reilly Block,
 Wheeling, W. Va.

ALEX. ARMSTRONG.

Found Guilty by the Jury.

"We, the jury, find the defendant, Alexander Armstrong, guilty, as charged in the within indictment," or words to that effect, is what the gentlemen all said when they came down last Friday evening at dusk. Thus ended the trial of Armstrong which has created more interest in the county than any criminal proceeding in years, and for the offense of robbery with weapons for which the least sentence is ten years. Four entire days were consumed by the trial. During that time the court-room was thronged, the people clambering to the windows and jamming the doorways in their eagerness to see and hear. For the first time in the times of Marlinton court, ladies were in attendance, and all during the trial a group of ladies were to be seen seated inside the bar, interested spectators, who were constantly wishing to know what was going to be done next.

The jury was under the strict surveillance of the Sheriff, and were kept closely together. The whole indicated the most careful proceedings to give the accused a fair trial. The Judge's rulings were considered carefully, and the authorities constantly resorted to settle disputed points.

When the verdict was rendered Armstrong's face showed no change and he said nothing. He was sent back to jail to await sentence and motions for new trial, etc., and walked to the jail closely guarded by three officers.

In giving the testimony only that part which fixes the crime on the prisoner can be set forth. It may be necessary to explain that Alex. Armstrong is a very light mulatto, aged 37, home Marietta, Ohio, who left Pocahontas in 1883. Taught school while here, and was best known in the Levels District. Had worked for Captain Edgar, and one of the points of prosecution was to show that the robbery must have been committed by some person familiar with the country. Cumberland is a strange negro, with absolutely the most unprepossessing face the writer has ever seen.

THE JURY.

Clark Kellison, David Gragg, B. L. Kerr, James Gibson, Jr., Giles Sharp, R. B. Kerr, Caswell Kellar, William H. Dilley, W. H. Hannah, Henry Wooddell, Oscar Orndorff, J. L. Hudson.

L. M. McClintic and John A. Preston represented the prosecution, and H. S. Rucker and John W. Stephenson the defendant.

The indictment being jointly against Armstrong and Cumberland, the prisoner's counsel asked for a severance, and Armstrong's case was taken up.

TESTIMONY—CAPT. A. M. EDGAR.

Capt. Edgar related the circumstances of the robbery on the 4th of January, 1894, and described his assailants who entered his house early in the night and took \$21 from his person. Described the men which tallied with the figures of the prisoners. When it came to the identification of the prisoner, Capt. Edgar said: "Gentlemen, it is very hard to know a masked man well covered up; I haven't any doubt in my own mind that we have the proper men, but would hesitate to swear to the identification of a masked man."

MRS. A. M. EDGAR.

Mrs. Edgar testified that on the night of the robbery she engaged the taller robber in conversation and did all she could to detain him until help came, that she observed him as closely and studied his appearance as carefully as possible so that she might identify him again, and thinks it was Alex. Armstrong.

HON. C. E. BEARD.

Passed two negroes near Mill Point about daylight on January 3, 1894. Could not place the one who looked familiar at the time, but believed firmly shortly after that it was the prisoner. Thinks he would have recognized him at the time had he not thought him

dead.

CHARLES LEE (COL.)

Met the two negroes on same morning near same place. The taller man covered up part of his face with a handkerchief, as tho afraid of being recognized.

MISS MARY SMITH

Lives near Mill Point, several miles from scene of robbery. Two colored men ate breakfast at her house on morning of robbery, Jan. 4, 1894. On being asked if the prisoner was the man who got breakfast at her house, answered, "Yes, sir, I think he is the man—he looks like him."

MRS. MARY SMITH

Mother of preceding witness, "They look like the men, and I believe they are the men as far as I know."

MRS. MINTA WADE

Daughter of preceding witness. Haven't seen them since that morning until now. "Do you see them now?" "I think so." Pointed out Armstrong and Cumberland.

R. K. BURNS, DEPUTY-SHERIFF

Testified to pursuit and arrest of prisoner, who passed under the name of Diggs, in January, 1895.

STEWART BROTHERS (COL.)

Hauling wood on morning of day of robbery, saw two strange negroes at about 100 yards. Geo. Stewart remarked at the time that one of them "waded like Alex. Armstrong."

S. J. PAYNE

Accosted Armstrong on the streets of Hillsboro the day of arrest, and Armstrong denied his name.

HON. S. H. CLARK

Horses taken from his barn on night of robbery. Course taken to Lewisburg tomorrow showed the thieves had a knowledge of the route of the route traversed.

CHARLES SEUE

Saw two men on Droop Mountain by camp fire on New Year's night, 1894. The one tallying with the description of Armstrong did not allow the light from the fire to shine on his face.

ULYSES GRANT, (COL.)

Brother-in-law to prisoner. Met him in December 1893 or January 1894, between Ronceverte and Lewisburg. Talked with him but Armstrong insisted he was mistaken. On cross-examination witness became confused, and said February came before January, and mixed himself up and retired in confusion. Came in next day to explain and straighter out testimony. Grant is very intelligent when at himself.

W. H. OTT

Lives between Lewisburg and Ronceverte. Walked down the hill with two men before day on morning of February 5th. Did not swear positively to prisoner. One of the men inquired for Lewis Hull, and the way to a restaurant.

MALVERN OVERHOLT

Testified that Ulyses Grant was with him on one trip and that he met and talked with two men.

G. H. PERKINS

Keeps a restaurant in Lewisburg. Two men came there for breakfast early one morning the first of January. Swears positively to prisoner. "He's got the same tongue!" Prisoner said he'd been to Marlinton and Mill Point, and was going home to Marietta, Ohio. Question, "Do you believe the prisoner at the bar to be the same man who ate breakfast at your house?" "I do as truly as I believe I draw a breath. The man talked so intelligently that I marked him well."

ARCH. LEWIS, (COL.)

Worked in Perkin's restaurant. Says the prisoner is one of the men they fed that morning.

M. J. McNEEL, ESQ.

Witness testified that Lewis Hull colored, lived in the Levels at the same time that Alex. lived there.

JAMES H. DOYLE

Testified to Armstrong's attempt to break jail.

THE DEFENSE.

In writing up this case, as the writer has remarked, the details of

the testimony can not be given. The point of the case rested more on the question of whether Armstrong was in Pocahontas the first days of January, 1894, or elsewhere. This report gives substantially the evidence tending to show the whereabouts of Armstrong at that time. As will be seen, it is exactly opposite positive testimony being given on both sides.

FRANK CUMBERLAND, (COL.)
 Age 29. Saw prisoner in Marietta, Ohio, on both the 4th and 5th. Fixes date by delivery of express package. Came to Pocahontas January 1, 1895, to find a lumber camp and play poker with the boys.

ALEX. ARMSTRONG.
 Being sworn in his own behalf, denied specifically all evidence tending to show he had been here the first days of January, 1894. Was in Marietta, Ohio. Came to this county to play poker. Traveled under the name of Diggs because he had cheated William H. Overholt out of a horse before he left Pocahontas, and did not wish to have trouble about it. Had not been in Pocahontas since he left in April, 1883.

JUSTICE, (COL.)
 Colored porter at Beilevue Hotel. Saw Cumberland early on the morning of the 5th waiting for Armstrong to get an express package. Is Armstrong's brother-in-law. Fixes date by express office books.

LEONARD P. MURPHY, (COL.)
 Father-in-law of prisoner. Saw Armstrong on 5th of January, 1894, 11 a. m. Fixes date by memorandum made the 4th of sale of barber shop.

IDA M. ARMSTRONG, (COL.)
 Prisoner's wife. Is positive that she saw her husband at home the first days of January, 1894.

CLARA ARMSTRONG, (COL.)
 Student at Marietta high school. Saw Armstrong on 3d of January, 1894. Fixes date by school report. Is not related to prisoner.

JAMES ROONEY.
 Blacksmith. To the best of his knowledge and belief it was the 3d or 4th of January that he and Armstrong went to a neighboring village together on a trip.

BION E. GEORGE GUYTON.
 Attorney at law, etc. Is positive that Armstrong paid him some money, interest on mortgage, on the 4th or 5th.

LAWYER LAFOLLETTE.
 Gives evidence respecting overcoat belonging to prisoner.

The depositions of two witnesses were ruled out on exceptions. Mr. Preston opened the argument. Mr. Stephenson and Mr. Rucker followed for the defense. Mr. McClintic closed the argument for the State, a day having been consumed in the argument of the case.

To the lovers of books, it may be interesting to learn that the output in England and America, for 1895, was 4,484, which was 650 books less than 1893. To keep up then with the new issues, a person would have to read ten or eleven books per day. Law books more numerous than in 1893, but juvenile publications much less than 1893. It seems singular that in these exciting times that novels should be the most numerous of all the new issues from the teeming presses in America. The next in point of circulation are books on political and social science then in the order mentioned, theology, religion, biography, history, travels, and poetry. The greatest number of importations from over the ocean, was in theology and religion. A book has to be a good one to receive recognition at the hand of publishers. Where one has been received, perhaps dozens have been rejected. The mental activity of the age is certainly phenomenal. How shallow too it must be when fiction leads in public favor.

Family Weather.

A very characteristic and delightful note is that given in a recent *Century* from Doctor Holmes to J. T. Fields, thanking Mr. Fields for the gift of a barometer. The gift was so much appreciated that it was wanted by the sunny autocrat for his study and by Mrs. Holmes for the parlor, a difference of opinion which prompted him to impart to his friend the following quaint dialogue—imaginary, no doubt, in the indications of bad weather, for weather in the Holmes household is well known to have been perennially fair and fine.

[I have observed some extraordinary movements of the index of the barometer during the discussions that ensued, wrote the doctor, after mentioning the domestic difference, which you may be interested to see my notes of:

Barometer.
 Mrs. H.—My dear, we shall of course keep this beautiful barometer in the parlor. *Fair.*
 Dr. H.—Why, no, my dear; the study is the place. *Dry.*
 Mrs. H.—I'm sure it ought to go in the parlor. It's too handsome for your old den. *Change.*
 Dr. H.—I shall keep it in the study. *Very Dry.*
 Mrs. H.—I don't think that's fair. *Rain.*
 Dr. H.—I'm sorry. Can't help it. *Very Dry.*
 Mrs. H.—It's—too—too ba-a-ad. *Much Rain.*
 Dr. H.—(Music omitted.) 'Mid pleasers and paal-a-a-c-es: *Set Fair.*
 Mrs. H.—I will have it!

You see what a wonderful instrument this is that you have given me. But, my dear Mr. Fields, while I watch its changes it will be a constant memorial of unchanging friendship; and while the dark hand of fate is traversing the whole range of mortal vicissitudes, the golden index of the kind affections shall stand always at SET FAIR.
 Yours ever, O. W. HOLMES.

Peculiar Cipher.

A cipher is a means of communication in which words or combinations of words have a peculiar significance, known only to the parties interested. It is of value in two ways. First, by its use important information may be transmitted secretly. Second, in telegraphing, much money is saved by the use of single words which mean whole sentences. But that the use of a cipher requires judgment is illustrated by the following incident:

A few years ago a prominent oil-producer of Pittsburg was putting down what is known as a "wildcat," that is, a well in the territory that had never been tested for oil.

He was keeping the fact a profound secret, in order that, in case he got a good well, he might without difficulty secure all the leases he desired in the vicinity. He was on the ground himself, watching with great interest the indications. Everything pointed to success.

Two days before the well was expected to "come in," he was unfortunately called home. Anxious about the result, he arranged with his contractor to telegraph him as soon as the drill reached the sand. He knew, however, that secrets will sometimes leak out of a telegraph office, and so he told the driller that the sentence, "Pine-trees grow tall," would mean that he had struck oil. The driller seemed to understand the matter, and promised to do as he was ordered.

The mingled satisfaction and vexation of the producer may be imagined when, two days later, he received the following telegram:

"Pine-trees grow tall. She's squirting clean over the derrick."
 His hope that he should have no competitors for leases was disappointed.—*Sel.*